

REMARKS IN RESPONSE TO THE OFFICE ACTION

This amendment is responsive to the Office Action dated October 12, 2006. The Office Action raises objections against several portions of the specification, and against Claims 1-13, with particular regard toward the phrase “exit region” in Claim 1 and the phrase “string outlets” in Claim 10. Claims 1-13 are rejected under 35 U.S.C. § 112, 2nd paragraph, with particular regard to Claims 1 and 13. Claims 1, 4, 6-10 and 13 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,756,146, to Rouse (“the Rouse patent”). Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Rouse patent in view of U.S. Patent No. 5,761,816, to Morabit et al. (“the Morabit patent”). Claims 2, 3, and 5 are indicated as allowable if rewritten to overcome the preceding rejections under 35 U.S.C. § 112. New Claims 14-24 have been added by amendments herein. Applicants respectfully request reconsideration of the specification and the claims in view of the amendments set forth above and the Remarks set forth below, in which certain portions are underlined to place emphasis on patentable aspects.

Objections Toward the Written Specification

Objections toward certain paragraphs of pages 2, 6, 7, and 11 have been addressed by amendments made herein by way of replacement paragraphs and are remedied. Applicant respectfully submits that the phrase “outlet opening 115” in line 22 of page 13 requires no remedy. As shown in FIG. 9 of the drawings, and as detailed in lines 1-11 of page 14 of the specification, the teeth 404 of a shoe 400 engage the cutting string 300 when the device is in use impacting (and cutting) plants. The cutting string 300, when in use impacting plants, extends outwardly from the cutting head 100 (see also FIG. 8) by way of the opening 115 (FIG. 9). The opening 115 may therefore be reasonably called an “outlet opening.” The Office Action brings particular attention to lines 23-25 of page 14 of the specification. Applicant respectfully submits that the recitation of these lines, when read in full (lines 23-32), relates to the loading of the cutting head with a cutting string without contradiction.

Objections Toward Claims 1 and 10

Objections raised against Claims 1-13, with particular regard to the phrase “exit region” in Claim 1, and “string outlets” in Claim 10, appear to be raised along similar reasoning as that by which an objection was raised against the phrase “outlet opening” in the specification. Applicant respectfully submits that, like the objection against the specification, these objections against the claims require no remedy. The cutting head features from which cutting strings extend when the cutting head is in use (cutting plants) may reasonably be called “exit regions” and “string outlets” without contradiction toward lines 23-32 of page 14 of the specification, which lines relate to the loading of the cutting head with a cutting string.

Claims Rejections Under 35 U.S.C. § 112, 2nd paragraph

In view of the rejection of Claim 1, with regard to the phrase “or similar,” an amendment herein to Claim 1 deletes the allegedly offending phrase. In view of the rejection of Claim 1, with regard to the phrase “inner edge,” antecedent basis has been established by an amendment herein to Claim 1. In view of the rejection of Claims 1 and 4-7, with regard to the phrase “curved portion,” antecedent basis has been established by an amendment herein to Claim 1. In view of the rejection of Claim 13, with regard to the phrase “such as,” an amendment herein to Claim 13 deletes the allegedly offending phrase. Applicant therefore believes that these rejections are remedied.

Claims Rejections Under 35 U.S.C. § 102(b) and § 103(a)

Claims 1, 4, 6-10 and 13 are rejected as being anticipated by the Rouse patent. Claims 11 and 12 are rejected as being unpatentable over the Rouse patent in view of the Morabit patent. Claim 1, as amended herein, relates to a cutting head including a passageway for a cutter string. The head is characterized in that the passageway extends in a manner that the cutter string extends offset from an axis of rotation of the head. This represents a distinction at least by which Claim 1 is patentable over the Rouse and Morabit patents, which relate only to cutting heads from which cutting lines extend radially.

The Rouse patent, as shown in FIG. 4 thereof, discloses a cutting head 10 in which cutting lines 2 are retained by arcuate passages 14 and 16. The cutting lines 2 are illustrated extending radially from the axis of rotation of the cutting head, which axis coincides with the center 9 of the body of the head, as detailed in lines 62-65 of column 3 of the Rouse patent. The Rouse patent does not disclose a cutter string extending offset from an axis of rotation of a cutting head. The Morabit patent discloses several cutting head configurations in the figures thereof. However, in each of the configurations, one or more cutting lines extend only radially from a cutting head as shown, for example, in FIGS. 2, 5b, 5d, 6b, and 6d of the Morabit patent. The Morabit patent does not disclose a cutter string extending offset from an axis of rotation of a cutting head. The Rouse patent, the Morabit patent, and their combination fail to disclose and fail to render obvious a cutter string extending offset from an axis of rotation of a cutting head. For at least these reasons, Claim 1, and Claims 2-13 that depend directly or indirectly therefrom, and all patentable over the Rouse and Morabit Patents.

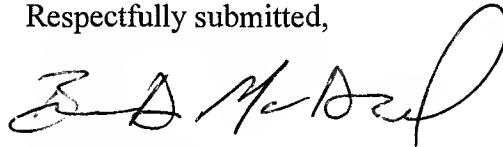
Acknowledged Allowable Subject Matter

Claim 2, which recites that the string passageway is essentially rectilinear, was indicated as allowable if rewritten to overcome the rejections under 35 U.S.C. § 112. New Claim 14 relates to a cutting head including a passageway for a cutter string. The head is characterized in that the passageway is essentially rectilinear in a manner that it is offset from an axis of rotation of the head. Thus, Claim 14 is patentable for at least the above-stated reasons by which Claim 1 is patentable. Additionally, in Claim 14, the passageway is essentially rectilinear. Moreover, Claim 14 overcomes the various 35 U.S.C. § 112 rejections of the Office Action. Thus, new Claim 14 is additionally patentable for the reasons by which Claim 2 would be allowable if rewritten to overcome the 35 U.S.C. § 112 rejections. For at least these reasons, Claim 14, and Claims 15-24 that depend directly or indirectly therefrom, and all patentable over the Rouse and Morabit Patents.

Appl. No.: 10/543,029
Amdt. dated March 12, 2007
Reply to Office Action of October 12, 2006

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian MacDonald', written in a cursive style.

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